

1 **WHEREAS**, the Board of Directors of the Placer County Air Pollution Control District is
2 authorized to adopt rules and regulations and do such acts as may be necessary or proper to
3 execute the powers and duties granted by Health and Safety Code Sections 40001, 40702,
4 40716, 41010, and 41013 (Health and Safety Code Section 40727(b)(2)); and

5
6 **WHEREAS**, Portions of the Placer County Air Pollution Control District (PCAPCD) have been
7 designated as severe non-attainment areas for the federal ozone standard pursuant to the Federal
8 Clean Air Act Amendments of 1990 (FCAAA); and

9
10 **WHEREAS**, the FCAAA requires for nonattainment areas the submittal of Reasonable
11 Available Control Technology (RACT) rules covering all major stationary sources of Nitrogen
12 Oxides (NOx); and

13
14 **WHEREAS**, The Board of Directors of the PCAPCD has determined that the adoption of a
15 prohibitory rule for Stationary Internal Combustion Engines, is necessary to comply with the
16 requirements of California Health and Safety Code Sections 40001 and 40910 and with Sections
17 110(a)(2), 110(f) and 182(b)(2) of the FCAAA; and

18
19 **WHEREAS**, the Board of Directors of the Placer County Air Pollution Control District has
20 determined that the meaning of the rule can be easily understood by the persons directly affected
21 by it (Health and Safety Code Section 40727(b)(3)); and

22
23 **WHEREAS**, the Board of Directors of the Placer County Air Pollution Control District has
24 determined that the rule amendments are in harmony with, and not in conflict with or
25 contradictory to, existing statutes, court decisions, or state or federal regulations (Health and
26 Safety Code Section 40727(b)(4)); and

1 **WHEREAS**, the Board of Directors of the Placer County Air Pollution Control District has
2 maintained records of the rulemaking proceedings (Health and Safety Code Section 40728); and
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4 **WHEREAS**, the Board of Directors of the Placer County Air Pollution Control District held a
5 duly noticed public hearing on April 10, 2003, that was noticed in newspapers of general
6 circulation in the District more than 30 days in advance of said hearing, and the Board has
7 considered public comments on the proposed amendments to the rule with evidence having been
8 received and this Board having duly considered the evidence (Health and Safety Code Sections
9 40725 40726, and 40920.6); and
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11 **WHEREAS**, the District Board has made the findings pursuant to Health and Safety Code
12 Section 40727, of necessity, authority, clarity, consistency, non-duplication, and reference in
13 regard to the proposed rule and that the amendments improve the clarity, and consistency of the
14 rule while removing duplication; and
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16 **WHEREAS**, the District has considered the relative cost effectiveness of the measure as well as
17 other factors, as required by Health and Safety Code Section 40922, and made reasonable efforts
18 to determine the direct costs expected to be incurred by regulated parties pursuant to Health and
19 Safety Code Section 40703; and
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21 **WHEREAS**, the adoption of this regulation is categorically exempt from CEQA pursuant to
22 Title 14, California Administrative Code, Section 15308, as an action by a regulatory agency for
23 the protection of the environment;
24

25 **NOW, THEREFORE, BE IT RESOLVED**, that this Board finds and does hereby declare that
26 there is a need for the adoption of Rule 242, Stationary Internal Combustion Engines.
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28

1 **IT IS THEREFORE ORDERED** that the Rule, as shown in Exhibit I, is adopted for the Lake
2 Tahoe, Mountain Counties, and Sacramento Valley Air Basin portions of the Placer County, and
3 as a proposed revision to the State Implementation Plan (SIP) for these areas.

4
5 **BE IT FURTHER ORDERED** that the aforesaid rule shall be effective upon adoption.

6
7 Exhibit I: Rule 242, Stationary Internal Combustion Engines